

NOT FOR CITATION
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MING-GUI LI, CHI-POE HSUEH, KING)
KENUNG LAM and YEN SHIUNG)
HUANG,)

Plaintiffs,)

v.)

OKRA, INC. dba CAFÉ OHPELIA, HSIU)
YUN HUANG,)

Defendants.)

Case No.: C 07-05731 PVT

**ORDER DENYING WITHOUT
PREJUDICE PLAINTIFFS' REQUEST
FOR REFERRAL TO A MAGISTRATE
JUDGE FOR SETTLEMENT
CONFERENCE**

On February 4, 2009, plaintiffs requested a referral of the above-captioned action to a magistrate judge for settlement conference. Plaintiffs noted that the parties had unsuccessfully (and recently) participated in mediation and only the scope of liability was at issue.

On February 11, 2009, defendants objected to plaintiffs' request for the referral on the grounds that they are undertaking further efforts to resolve the above-captioned action and that incurring additional fees and costs would further complicate those efforts. Accordingly, plaintiffs' request is denied without prejudice to a renewed request for reference to a magistrate judge for settlement conference.¹ If the case is not resolved by April 1, 2009, however, the parties are advised

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 that the court *sua sponte* may refer it to a magistrate judge for a settlement conference.

2 IT IS SO ORDERED.

3 Dated: February 12, 2009



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5 PATRICIA V. TRUMBULL
United States Magistrate Judge

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